

BILL ANALYSIS

H.B. 3314
By: Kuempel
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties assert that current law does not clearly delineate the time frame in which certain court clerks must complete required hours of continuing education, particularly if they are appointed midterm. H.B. 3314 seeks to clarify this issue and to update other continuing education requirements.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3314 amends the Government Code to specify that a county clerk, district clerk, or county and district clerk is required to complete 20 hours of instruction regarding the performance of the clerk's duties of office before the first anniversary of the date the clerk assumes those duties, rather than during each calendar year that begins after the clerk's election or appointment to office. The bill specifies that the requirement to complete 20 hours of continuing education courses applies after the first anniversary of the date a clerk assumes the duties of office and clarifies that the clerk must complete such continuing education each calendar year, rather than each year. The bill removes the requirement that such a clerk complete during the first year of each term of office at least one hour of continuing education course regarding the handling of certain registry funds in the performance of the duties of office and at least one hour of continuing education courses regarding fraudulent court documents and fraudulent document filings.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.